



California Regional Water Quality Control Board

Central Valley Region



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29 March 2005

Brad Peterson
1075 Cellars
1075 W. Turner Road
Lodi, CA 95242

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 1075 CELLARS, SAN JOAQUIN COUNTY

Regional Board staff has reviewed your February 2004 Report of Waste Discharge (RWD) and additional information submitted on 7 January 2005 for coverage under Resolution R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a *Notice of Non-Applicability* for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be substantially complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Board on 11 July 2003, is a conditional waiver of waste discharge requirements for small food processors including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater to be produced.

Discharge Description

James, Judy, Bradley, Philip and Martin Peterson (collectively Discharger) own the 1075 Cellars winery at 1075 W. Turner Road, Lodi, San Joaquin County. The winery is on 19.31-acres; the property includes an 18-acre vineyard to which wastewater will be applied. The Discharger estimates that approximately 20 tons of grapes will be crushed producing approximately 3,600 gallons of wine (approximately 1,500 cases of wine). The Discharger estimates approximately 45,000 gallons of wastewater will be generated on an annual basis.

All activities producing wastewater will be conducted under the cover of an enclosed building or on a concrete pad equipped with drains to collect wastewater or stormwater. Wastewater and/or stormwater will be screened in floor drains, collected in a sump, and then pumped to a 1,500-gallon above ground storage tank. Normally, crush activities will be conducted on a concrete pad outside the building but crush can be performed inside the building if climatic conditions require. Wastewater will be applied to the land application area either through sprinklers or a drip irrigation system and will be delivered to the land areas using a tank mounted on a trailer or piping which may be installed later. No wastewater will be applied during times of precipitation or when the soil is saturated. Activities in the winery will be curtailed or modified to prevent the application of wastewater when climatic or soil conditions do not allow application.

California Environmental Protection Agency

The primary method of wastewater disposal will be the spray irrigation of 18-acres of vineyard. The Discharger has estimated the maximum volume and strength of wastewater that will be produced and has calculated the expected maximum hydraulic and agronomic loading rates for the proposed disposal area. Based on these calculations, the proposed 18-acre land application area should have adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality. The Discharger has identified Best Management Practices that will be implemented to minimize wastewater strength and potential odor problems, and to prevent hydraulic or nutrient overloading. Those practices include: source control, reuse, substitution of chemicals, and outsource laboratory work when possible. The estimated volume of wastewater used to calculate the maximum loading rates was 45,000 gallons per year. Wastewater data will be compiled and included in an annual report.

Solid waste produced by the facility will consist of grape seeds, stems, skins, and lees. It is estimated that no more than 6.5 tons of solid waste will be generated annually. Solid waste will be spread on the vineyard. The vineyard practices a no tillage approach to farming; however, the solid waste will be tilled into the soil if needed to prevent odors. As a contingency solid waste management option, the Discharger can transport the waste to a landfill for disposal.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with filing fee to renew the waiver, or cease the discharge. If your total annual flow exceeds 100,000 gallons per year, the waiver is no longer applicable to your facility and you must submit a new RWD for individual Waste Discharge Requirements.

If you have any questions, please contact Tim O'Brien at (916) 464-4616.

--Original Signed By--

THOMAS R. PINKOS
Executive Officer

enc: General Order No. R5-2003-0106

cc: w/o enc Mike Huggins, San Joaquin County Environmental Health Department, Stockton